

Excerpts
Planning Commission Minutes
May 10, 2006

Application No. ZM-101-06, Peter V. Henderson: Application to amend the York County Zoning Map by reclassifying an approximately 8.28-acre portion of a 13.24-acre parcel located at 5800 Mooretown Road (Route 603) from IL (Limited Industrial) to RR (Rural Residential) to incorporate the acreage into a planned residential family subdivision that will encompass the subject property and adjacent acreage owned by the applicant. The property, further identified as a portion of Assessor's Parcel 5-14-B, is located approximately 2,400' north of the intersection of Mooretown Road and Ewell Road (Route 1030) and is designated Limited Industrial and Conservation in the Comprehensive Plan.

Timothy C. Cross, AICP, Principal Planner, presented the summary of the staff report dated April 27, 2006, in which the staff recommended approval. He noted the proposed zoning reclassification was more consistent with the Comprehensive Plan than the current zoning. Mr. Cross noted the applicant's presence to answer any questions the members might have.

Mr. Staton asked if it was necessary to rezone the property to get the appropriate lot sizes. **Mr. Cross** explained that a watershed buffer affects the parcel; part of it appears to be in the Resource Protection Area (RPA), presenting a constraint to development, and a larger portion appears to be in the Resource Management Area (RMA). The boundary lines were selected based, at least in part, on the location of these environmentally sensitive areas as well as existing fences, he believed. **Mr. Staton** thanked Mr. Cross and agreed with the staff recommendation.

Mr. Ptasznik believed rezoning the property was a good idea. **Mr. Cross** noted that rezoning could be beneficial depending on the applicant's desire for using the property.

Chair Ptasznik opened the public hearing.

Mr. Peter V. Henderson, 400 Angus Lane, spoke in behalf of his application. He believed the staff report and presentation clarified his reasons and justification for the request. Mr. Henderson said he hoped to capture some use of that piece of land because the setbacks and terrain were not conducive to more industrial or commercial development than exists at present. Rezoning increases the opportunity for residential development on the portion of the parcel being considered.

Mr. Ptasznik closed the public hearing.

Mr. Barba thought it would be logical to rezone the property as requested.

Ms. Conner agreed that the proposed rezoning was appropriate and moved adoption of proposed Resolution PC06-11 and it passed 6:0 (Mr. Hamilton absent).

Resolution PC06-11

On motion of Ms. Connor, which carried 6:0 (Hamilton absent), the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF AN APPLICATION TO
REZONE APPROXIMATELY 8.28 ACRES ON MOORETOWN ROAD (ROUTE 603)
FROM IL (LIMITED INDUSTRIAL) TO RR (RURAL RESIDENTIAL)

WHEREAS, Peter V. Henderson has submitted Application No. ZM-101-06, which requests to amend the York County Zoning Map by reclassifying from IL (Limited Industrial) to RR (Rural Residential) an approximately 8.28-acre portion of a 13.24-acre parcel located at 5800 Mooretown Road (Route 603) and further identified as Assessor's Parcel No. 5-14-B (GPIN# C18c-1888-1048); and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 10th day of May, 2006, that Application No. ZM-101-06 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to amend the York County Zoning Map by reclassifying from IL (Limited Industrial) to RR (Rural Residential) an approximately 8.28-acre portion of a 13.24-acre parcel located at 5800 Mooretown Road (Route 603), further identified as Assessor's Parcel No. 5-14-B (GPIN# C18c-1888-1048) and more fully described as follows:

All of that certain area of land situated on Mooretown Road and located within the Bruton District of the County of York, Virginia and identified as 8.28 ± acres and being more fully described as: Commencing at a point, said point being on the northeasterly right of way of Mooretown Road, 1370' ± south of the intersection of Mooretown Road and Angus Lane and being a corner to property now or formerly standing in the name of the City of Williamsburg; thence leaving the right of way of Mooretown Road, N 84°52'29"E, a distance of 682.18' to a point, being the point of beginning for the rezoning area; thence N 01°47'53"E, a distance of 362.77' to a point; thence S 88°12'07"E, a distance of 269.65' to a point; thence S 69°12'07"E, a distance of 200.00' to a point; thence S 78°12'07"E, a distance of 600.00' to a point; thence N 80°32'53"E, a distance of 534.58' to a point; thence S 57°25'31"W, a distance of 868.92' to a point; thence N 09°44'39"W, a distance of 295.64' to a point; thence S 84°52'29"W, a distance of 803.46' to the point of beginning, all as shown on a map titled "Map Showing Proposed Area for Rezoning 8.28 Ac.+/- Prepared for Peter V. Henderson/Et Als" by AES Consulting Engineers dated March 2, 2006.
